

REMARKS

Claims 1-24 are now pending in the application. Minor amendments have been made to the specification and claims to simply overcome the objections to the specification and rejections of the claims under 35 U.S.C. § 112. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 112

Claims 21-23 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

Applicant amends claims 21 and 23 to depend from claim 20. Claim 20 includes sufficient antecedent basis for "in the gain adjusting step," as recited in claim 21, and for "each of the gain and phase calculation step," as recited in claim 23. Applicant respectfully submits that claims 21 and 23 are now definite.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Osigo (U.S. Pat. Pub. No. 20040140875). This rejection is respectfully traversed.

Applications and references are to be considered by the Examiner to be owned by, or subject to an assignment to the same person, at the time the invention was made,

if the Applicant or an attorney of record makes a statement to the effect that the application and the reference were, at the time the invention was made, owned by, or subject to an obligation of assignment to, the same person.

Applicant respectfully submits that the present application (U.S. Pat. Application Serial No. 10/801,111) and Osigo (U.S. Pat. Pub. No. 20040140875) were, at the time the present invention was made, owned by Seiko Epson. As such, Osigo is disqualified from being used in a rejection under 35 U.S.C. 103(a) against the claims of the present invention. Applicant respectfully submits that Claims 1-24 are therefore allowable over Osigo.

With respect to Claim 20, Applicant amends the claim into independent form. Therefore, Applicant respectfully submits that Claim 20, as well as its corresponding dependent claims, is now in condition for allowance.

CONCLUSION

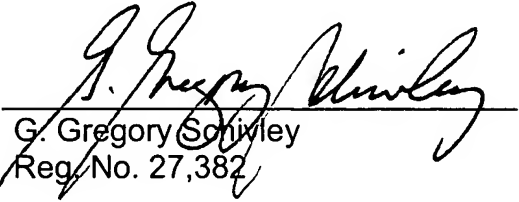
It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the

Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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By: _____


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